

**In the Claims:**

This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (Currently Amended) An instrument set for fitting an intervertebral prosthesis, comprising a guide device (4, 34) which is configured to be arranged on the vertebral bodies (2) and is used for guiding a tool, (21, 39, 40), and an adjustment instrument (10, 30) ~~which is used~~ configured for adjusting the guide device (4, 34) and which ~~has a part (11)~~ comprises an intervertebral plate to be fitted into ~~the an~~ intervertebral space (1) ~~and~~ with a projecting adjustment rod (12, 32) thereon cooperating with the guide device (4, 34), wherein the ~~part to be fitted into the intervertebral space (1) is an intervertebral plate which has~~ comprises at least one X-ray marker (12, 32) extending in ~~the AP~~ an anterior-posterior direction for positioning ~~it the~~ intervertebral plate in the intervertebral space (1).

2. (Currently Amended) The instrument set as claimed in claim 1, wherein the surface area of the intervertebral plate (11) is ~~slightly~~ smaller than the surface area of the intervertebral space.

3. (Currently Amended) The instrument set as claimed in claim 1, wherein the intervertebral plate (11) ~~also has~~ further comprises a transversely extending X-ray marker (13).

4. (Currently Amended) The instrument set as claimed in claim 1 or 2, wherein at least one X-ray marker is formed by a bore (13, 14).

5. (Currently Amended) The instrument set as claimed in claim 1, wherein the guide device (4) is designed to be secured to ~~both~~ vertebral bodies (2) to be connected by the intervertebral prosthesis and has an opening (6) formed therein which is larger than the intervertebral plate (11).

6. (Currently Amended) The instrument set as claimed in claim 5, ~~wherein~~ further comprising an intermediate adjustment piece (18) ~~is provided~~ which can be applied to the guide device (4) and is displaceable on the adjustment rod (12).

7. (Currently Amended) The instrument set as claimed in claim 5, ~~wherein further comprising a gauge (3) for a machining tool is provided, which gauge (3) can be applied to the~~ guide device (4).

8. (Canceled)

9. (Currently Amended) An instrument set for fitting an intervertebral prosthesis into an intervertebral space (1) between ~~two~~ vertebral bodies (2), which instrument set comprises a guide device (4, 34) configured for guiding at least one tool (21, 39, 40) for working a vertebral body (2), and an adjustment instrument (10, 30) ~~which is used~~ configured for adjusting the guide device (4, 34) and ~~which has comprising~~ an intervertebral plate (11) configured to be fitted into the intervertebral space (1) and, projecting from ~~this~~ the intervertebral plate, an adjustment rod (12, 32) cooperating with the guide device (4, 34), wherein the intervertebral plate (11) or the adjustment rod (12, 32) ~~has~~ comprises a marking detectable in an AP anterior-posterior X-ray beam path.

10. (Currently Amended) The instrument as claimed in claim 9, wherein the surface of the intervertebral plate (11) is designed so that it is displaceable in ~~the~~ a transverse direction and positionable in the intervertebral space (1) under X-ray control.

11. (Currently Amended) The instrument set as claimed in claim 9, wherein the intervertebral plate (11) ~~has~~ comprises an X-ray marker (13) detectable in a latero-medial beam path.

12. (Currently Amended) The instrument set as claimed in claim 9, wherein the guide device (34) ~~can~~ is configured to be pushed onto a free end of the adjustment rod (32) from the free end thereof, and the adjustment rod (32) and the guide device (34) have interacting surfaces (31, 35) shaped so as to complement one another to give a non-rotational fit, the guide device (34) defining a drill gauge for two drill axes (37, 28) arranged in parallel to one another in ~~the~~ a median plane above and below the adjustment rod.

13. (Currently Amended) The instrument set as claimed in claim 12, ~~wherein~~ further comprising two drill gauges ~~are~~ arranged on a hub surrounding the adjustment rod.

14. (Currently Amended) The instrument set as claimed in claim 12, ~~wherein~~ further comprising only one drill gauge (36) ~~is~~ arranged on a hub surrounding the adjustment rod (32), ~~and the interacting surfaces (31, 35) of the hub and of the adjustment rod (32) fit~~ fitting together in two positions offset 180° in relation to one another.

15. (Currently Amended) The instrument set as claimed in claim 9, wherein the intervertebral plate (41) is wedge-shaped.

16. (Currently Amended) An instrument set for fitting an intervertebral prosthesis into an intervertebral space (4) between two vertebral bodies (2), which instrument set comprises an adjustment device (34) consisting of an intervertebral plate (41) positionable in the intervertebral space (4) and ~~of~~ an adjustment rod (32) projecting from the intervertebral plate (41), and a guide device (34) having a hub which can be pushed onto the adjustment rod (32) and which cooperates with the adjustment rod (32) via complementary surfaces (31, 35) shaped to give a non-rotational fit, wherein the guide device (34) defines two guide axes (37, 38) located in the median plane below and above the adjustment rod and extending parallel to the ~~latter~~ adjustment rod.

17. (Currently Amended) The instrument set as claimed in claim 16, wherein the guide device (34) ~~has~~ further comprises a drill gauge (36) and the complementary interacting surfaces (31, 35) of the adjustment rod (32) and of the hub fit together in positions offset 180° in relation to one another.

18. (Currently Amended) An instrument set for fitting an intervertebral prosthesis in an intervertebral space (4) between two vertebral bodies (2), which comprises:

a) an adjustment device (30) consisting of an intervertebral plate (41) and ~~of~~ an adjustment rod (32) projecting from the ~~latter~~ intervertebral plate,

b) a guide device (34) which is supported loosely by the adjustment rod (32) and which forms two guide axes (37, 38) lying in the a median plane below and above the adjustment rod (32) and parallel to the latter thereto,

c) these axes being intended for a cylindrical turning instrument (39, 40) oriented with respect to the guide axes,

e) d) two pins (41) which can be introduced into the vertebral bodies (2) parallel to one another by means of the turning instrument (39, 40), and

d) e) a spreader instrument (42, 43, 44) holding the pins (41) parallel.

19. (Canceled)

20. (Currently Amended) An instrument set for fitting an intervertebral prosthesis into the intervertebral space between two vertebral bodies, which instrument set comprises cutting tools for shaping the intervertebral space so that it matches the shape of the prosthesis, ~~wherein~~ comprising a set of rasps is assigned to each prosthesis shape, the largest rasp being essentially the same as the prosthesis shape and the other rasps being progressively smaller ~~in stages then~~ than the largest ~~one~~ rasp.

21. (New) A method for implanting an intervertebral prosthesis, comprising:  
first removing an intervertebral disk to produce an intervertebral space,  
introducing an intervertebral plate having a surface area smaller than the surface area of the intervertebral space and comprising at least one X-ray marker under X-ray control into the intervertebral space and positioning the intervertebral plate in the intervertebral space,  
applying a guide device to an adjustment rod projecting in a ventral direction from the intervertebral plate and applied against the vertebral bodies,  
working the vertebral bodies with the aid of the guide device, and  
finally, fitting the intervertebral prosthesis.

22. (New) A method for fitting an intervertebral prosthesis into an intervertebral space between two vertebral bodies, comprising:

first removing an intervertebral disk,  
positioning and securing an intervertebral plate of an adjustment instrument in the  
intervertebral space,  
pushing a hub of a guide device onto an adjustment rod projecting from the intervertebral  
plate in such a way that the guide device defines two guide axes in a median plane above and  
below the adjustment rod and parallel thereto,  
introducing two pins are introduced into the vertebral bodies in the direction of the guide  
axes,  
connecting a distraction forceps to the pins so that they are held parallel to one another,  
and  
thereafter setting the spacing of the intervertebral bodies, removing the guide device and  
the adjustment element, and working the intervertebral as desired, thereby fitting the  
intervertebral prosthesis.